

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |                         |
|--|-------------------------|
| Applicants: HEDMAN et al.  | Art Unit: 3643          |
| Serial No.: 10/014,727   | Examiner: Kurt C. Rowan |
| Filed: December 10, 2001   |                         |
| Title: METHOD OF KILLING<br>ORGANISMS AND REMOVAL OF<br>TOXINS IN ENCLOSURES |                         |

*#17 Terminal  
Disclaimer  
Bentley  
11/5/03*

**RECEIVED**

DEC 31 2002

TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, DC 20231

**GROUP 3600**

Sir:

We, DAVID HEDMAN, residing at 402 West Ojai Avenue, Suite 101-523, Ojai, California 93023, and TROY SEARS, residing at 5455 Coach Lane, San Diego, California 92130, represent that we are

- ☒ an inventors of this invention
- ☐ an assignee of this invention
- ☐ a representative authorized to sign on behalf of the assignee identified below.

We hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No. 6,272,522 as presently shortened by any terminal disclaimer, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,272,522 this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

We do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 6,272,522 as presently shortened by any terminal disclaimer, in the event that it later: (1) expires for failure to pay a maintenance fee; (2) is held unenforceable; (3) is found invalid; (4) is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a); (5) has all claims canceled by a reexamination certificate; or (6) is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Date: \_\_\_\_\_

Date: October 19, 2002

David Hedman

*[Signature]*  
Troy Sears



PATENT  
871870-6

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Date: 12/21/02

David Hedman  
David Hedman

Date: \_\_\_\_\_

Troy Sears  
Troy Sears

DATE:

TO:

Examiner:

Appl. S.N.:

FROM:

Art Unit:

SUBJECT: Decision on the Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant about the T.D. If you disagree with my analysis or have any Q's at all about the acceptability of the T.D., please see me or our Special Program Examiner. THIS MEMO IS AN INFORMAL, INTERNAL MEMO ONLY. IT SHOULD NOT BE MAILED TO APPLICANT, NOR SHOULD A COPY BE IN THE APPLICATION FILE. WHEN YOUR ACTION IS DONE, YOU SHOULD INITIAL AND RETURN THIS MEMO TO ME.

☐ The T.D. is PROPER and has been recorded. (See 14.23).

☒ The T.D. is NOT PROPER and has not been accepted for the reason (s) checked below. (See 14.24):

A ☐ The recording fee of \$ \_\_\_\_\_ has not been submitted nor is there any authorization in the application file for the use of a deposit account. (See 14.25).

B ☒ The T.D. does not satisfy Rule 321(b) (3) in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (See 14.26 and 14.26.1).

C ☐ The T.D. lacks the enforceable only during the common ownership clause - needed to overcome a double patenting rejection, Rule 321(c). (See 14.27, 14.27.1).

D ☒ It is directed to a particular claim or claims, which is not acceptable since "the disclaimer must be of a terminal portion of the term of the entire patent to be granted." (MPEP 1490) (See 14.26, 14.26.2).

E ☐ The person who signed the terminal disclaimer:

F ☐ has failed to state his/her capacity to sign for the business entity (See 14.28).

G ☐ is not recognized as an officer of the assignee (See 14.29 and possibly 14.29.1).

H ☐ No documentary evidence of a chain of title from the original inventor (s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office: 37 CFR 3.73 (b).  
See 1140 O.G. 72.

NOTE-This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper submitted by applicant. (See 14.30).

I ☐ No "statement" specifying that the evidentiary documents have been reviewed and that, to the best of the assignee's knowledge and belief title is in the assignee seeking to take action. 37 CFR 3.73 (b). See 1140 O.G. 72.

NOTE-This "statement" may be found in the T.D. or in a separate paper signed by the assignee. (See 14.31).

J ☐ The T.D. is not signed. (See 14.26, 14.26.3).

K ☐ The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect. (See 14.32).

L ☐ The serial number of this application (or the number of the patent in reexam or reissue cases) being disclaimed is missing or incorrect. (See 14.26, 14.26.4 or 14.26.5).

M ☐ The period disclaimed is incorrect or not specified. (See 14.27, 14.27.2 or 14.27.3).

N ☐ Other:

P ☐ Suggestion to request refund (See 14.36). (NOTE-If authorized, credit refund to deposit acc't and do NOT check this item.)

O I have appropriately notified applicant (s) about the T.D. filed in this case.

Ex. Initials and date: \_\_\_\_\_

Rev. 3/4/94

DO NOT PROVIDE THIS MEMO TO APPLICANT;  
MUST BE RETURNED TO THE GROUP PARALEGAL